

HOUSE BILL No. 1117

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-6-1; IC 20-43.

Synopsis: Funding of adult education. Provides an adult education grant to school corporations as part of the state tuition support distribution. Adds the adult education appropriation for state fiscal year 2010-2011 to the state tuition support distribution appropriation for state fiscal year 2010-2011. Repeals a provision that permits a surplus in a tuition support distribution appropriation to be used to fund adult education.

Effective: July 1, 2010.

Moseley

January 5, 2010, read first time and referred to Committee on Education.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1117

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-30-6-1, AS ADDED BY P.L.1-2005, SECTION
2 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2010]: Sec. 1. (a) The state board and the state superintendent may
4 prescribe a program of adult education ~~The state board shall adopt rules~~
5 ~~under IC 4-22-2 to provide for this program and to provide for the state~~
6 ~~distribution formula for money appropriated by the general assembly~~
7 ~~for adult education. Money appropriated by the general assembly for~~
8 ~~adult education may be used only to reimburse a school corporation for~~
9 ~~adult education that is provided to for individuals who:~~
10 (1) need the education to master a skill that leads to:
11 (A) the completion of grade 8; or
12 (B) a state of Indiana general educational development (GED)
13 diploma under IC 20-20-6;
14 (2) need the education to receive high school credit to obtain a
15 high school diploma; or
16 (3) have graduated from high school (or received a high school
17 equivalency certificate or a state of Indiana general educational



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development (GED) diploma) but who demonstrate basic skill deficiencies in mathematics or English/language arts;
 For purposes of reimbursement under this section, the school corporation may not count an individual who is also and are not enrolled in the school corporation's kindergarten through grade 12 educational program. An individual described in subdivision (3) may be counted for reimbursement by the school corporation only for classes taken in mathematics and English/language arts.

(b) The state board shall provide for reimbursement to a school corporation under this section for instructor salaries and administrative and support costs. However, the state board may not allocate more than fifteen percent (15%) of the total appropriation under subsection (a) for administrative and support costs. **adopt rules under IC 4-22-2 to provide for the program of adult education described in subsection (a).**

(c) A school corporation may conduct a program of adult education.

(d) **A school corporation may permit a student who is enrolled in the school corporation's kindergarten through grade 12 educational program or a student who is a high school graduate but not an eligible adult (as defined in IC 20-43-1-10.5) to participate in a program of adult education.** A school corporation may require an individual who:

- (1) is at least sixteen (16) years of age; and
- (2) wishes to enroll in a school following the student's expulsion from school under IC 20-33-8 on the grounds that the student was:

(A) disorderly; or

(B) dangerous to persons or property;

to attend evening classes or classes established for students who are at least sixteen (16) years of age. However, the school corporation shall provide a child with a disability (as defined in IC 20-35-1-2) who is at least eighteen (18) years of age and whom the school corporation elects to educate with an appropriate special educational program.

SECTION 2. IC 20-43-1-7.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 7.4. "Adult education course" refers to a course of study offered in a program of adult education that is subject to IC 20-30-6-1.**

SECTION 3. IC 20-43-1-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 7.6. "Adult education grant" refers to an adult education grant under IC 20-43-13.**

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SECTION 4. IC 20-43-1-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 10.5. "Eligible adult" means an Indiana resident who:**

(1) either:

(A) has officially withdrawn from a kindergarten through grade 12 educational program and does not have a high school diploma; or

(B) is a high school graduate and has been determined to need basic skill development in English language arts or mathematics at or below the high school level; and

(2) meets the criteria established by the state board to enroll in an adult education course.

SECTION 5. IC 20-43-1-24.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 24.5. "Standard reimbursable unit of adult instruction" means an individual course in a program of adult education that consists of the following:**

(1) For an adult basic education (ABE) program or general educational development (GED) program, a block of time that includes the following:

(A) At least forty (40) and not more than eighty (80) teacher hours.

(B) A student enrollment of at least five (5) eligible adults who each have at least twelve (12) hours of attendance in the unit.

(2) For an adult secondary credit (ASC) program, a block of time that includes the following:

(A) At least sixty (60) and not more than seventy-five (75) teacher hours.

(B) A student enrollment of at least five (5) eligible adults who each have at least six (6) hours of attendance in the unit.

SECTION 6. IC 20-43-2-2, AS AMENDED BY P.L.182-2009(ss), SECTION 329, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 2.** The maximum state distribution for a calendar year for all school corporations for the purposes described in section 3 of this chapter is:

(1) five billion eight hundred twenty-nine million nine hundred thousand dollars (\$5,829,900,000) in 2009;

(2) six billion five hundred ~~forty-eight~~ fifty-five million nine hundred thousand dollars (~~\$6,548,900,000~~) (\$6,555,900,000) in

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2010; and

(3) six billion five hundred ~~sixty-eight~~ **eighty-two** million five hundred thousand dollars (~~\$6,568,500,000~~) (**\$6,582,500,000**) in 2011.

SECTION 7. IC 20-43-2-3, AS AMENDED BY P.L.182-2009(ss), SECTION 330, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. If the total amount to be distributed:

- (1) as basic tuition support;
- (2) for academic honors diploma awards;
- (3) for primetime distributions;
- (4) for special education grants;
- (5) for career and technical education grants;
- (6) for restoration grants; ~~and~~
- (7) for small school grants; **and**
- (8) for adult education grants;**

for a particular year exceeds the maximum state distribution for a calendar year, the amount to be distributed for state tuition support under this article to each school corporation during each of the last six (6) months of the year shall be proportionately reduced so that the total reductions equal the amount of the excess.

SECTION 8. IC 20-43-13 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]:

Chapter 13. Adult Education Grant

Sec. 1. This chapter does not apply to a charter school.

Sec. 2. A school corporation that conducts a program of adult education is entitled to an adult education grant.

Sec. 3. A school corporation shall count the number of eligible adults enrolled in an adult education course on:

- (1) the date specified in IC 20-43-4-4(1) in the year immediately preceding the current year; and
- (2) the date specified in IC 20-43-4-4(2) in the current year.

The school corporation shall include an eligible adult in the count for each adult education course in which the eligible adult is enrolled.

Sec. 4. The amount of the grant to which a school corporation is entitled for the first six (6) months of the current year is equal to the result determined in the last STEP of the following formula:

STEP ONE: Determine the number of standard reimbursable units of adult instruction for each adult education course provided by the school corporation in the last six (6) months

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of the year immediately preceding the current year.

STEP TWO: For each adult education course provided by the school corporation in the last six (6) months of the year immediately preceding the current year, determine:

(A) the result of:

(i) the number of eligible adults participating in the adult education course on the date specified in section 3(1) of this chapter; multiplied by

(ii) the number of standard reimbursable units determined in STEP ONE for the course; and

(B) the result of:

(i) the result determined under clause (A); multiplied by

(ii) two hundred fifty dollars (\$250).

STEP THREE: Determine the result of:

(A) the sum of the results determined under clause (B) of STEP TWO; and

(B) the result of:

(i) the sum of the results determined under clause (A) of STEP TWO for all adult education courses provided in a program of adult education in which eligible adults from multiple school districts are served at a common location operated by the school corporation, the school corporation provides substantially all of its adult education courses in a facility that is separate from buildings used to provide education to students enrolled in kindergarten through grade 12, and the school corporation provides education courses during the regular business hours for kindergarten through grade 12 instead of or in addition to evening adult education classes; multiplied by

(ii) seventy-five dollars (\$75).

Sec. 5. The amount of the grant to which a school corporation is entitled for the last six (6) months of the current year is equal to the result determined in the last STEP of the following formula:

STEP ONE: Determine the number of standard reimbursable units of adult instruction for each adult education course provided by the school corporation in the first six (6) months of the current year.

STEP TWO: For each adult education course provided by the school corporation in the first six (6) months of the current year, determine:

(A) the result of:

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(i) the number of eligible adults participating in the adult education course on the count date specified in section 3(2) of this chapter; multiplied by

(ii) the number of standard reimbursable units determined in STEP ONE for the course; and

(B) the result of:

(i) the result determined under clause (A); multiplied by

(ii) two hundred fifty dollars (\$250).

STEP THREE: Determine the result of:

(A) the sum of the results determined under clause (B) of STEP TWO; plus

(B) if the school corporation has entered into a written agreement with one (1) or more other school corporations to operate a program of adult education for the other school corporations at a common location, the school corporation provides substantially all of its adult education courses in a facility that is separate from buildings used to provide education to students enrolled in kindergarten through grade 12, and the school corporation provides education courses during the regular business hours for kindergarten through grade 12 instead of or in addition to evening adult education classes, the result of:

(i) the sum of the results determined under clause (A) of STEP TWO; multiplied by

(ii) seventy-five dollars (\$75).

SECTION 9. IC 20-43-2-6 IS REPEALED [EFFECTIVE JULY 1, 2010].

SECTION 10. [EFFECTIVE JULY 1, 2010] (a) Notwithstanding IC 20-43-13-4, as added by this act, adult education grant distributions in calendar year 2010 shall be based solely on the distribution amount determined under IC 20-43-13-5, as added by this act, without considering the amount determined under IC 20-43-13-4, as added by this act.

(b) Notwithstanding P.L.182-2009(ss), SECTION 9, the appropriation for ADULT EDUCATION DISTRIBUTION for the state fiscal year beginning July 1, 2010, and ending June 30, 2011, is reassigned to supplement the appropriation for DISTRIBUTION FOR TUITION SUPPORT for the state fiscal year beginning July 1, 2010, and ending June 30, 2011, and shall be used for the purposes of the DISTRIBUTION FOR TUITION SUPPORT for that state fiscal year.

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